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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Dietmar Hanke,

No. CV-24-03413-PHX-KML

Plaintiff,

ORDER

V.

Jason Trembly, et al.,

Defendants.

Plaintiff Dietmar Hanke filed this suit against ten defendants alleging diversity jurisdiction. (Doc. 1 at 1-2.) The complaint alleges Hanke is a “resident of Phoenix, Arizona” and “[a]t least three of the listed defendants . . . were/are residents of Florida and Delaware.” (Doc. 1 at 2.) The complaint also alleges three of the individuals named as defendants are Arizona residents. Two of those Arizona residents own the defendant companies. (Doc. 1 at 3.) Hanke is required to file a supplement establishing complete diversity of citizenship.

The defendant companies are limited liability companies. “[A]n LLC is a citizen of every state of which its owners/members are citizens.” *Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). The complaint alleges defendants John Rowley and Marcia Rowley “are/were” the owners of the defendant LLCs. The supplement must state whether the Rowley are the only owners/members of the LLCs. If there are other members, they must be identified.

The complaint's allegations identify the residency of defendants. "But the diversity

1 jurisdiction statute, 28 U.S.C. § 1332, speaks of citizenship, not of residency.” *Kanter v.*
2 *Warner-Lambert Co.*, 265 F.3d 853, 857 (9th Cir. 2001). Hanke’s supplement must allege
3 the citizenship, not the residency, of each defendant. That must include the named
4 defendants as well as any other owners/members of the LLCs.

5 Finally, diversity jurisdiction “requires ‘complete diversity’ of citizenship, meaning
6 that ‘the citizenship of each plaintiff is diverse from the citizenship of each defendant.’”
7 *Demarest v. HSBC Bank USA, N.A.*, 920 F.3d 1223, 1226 (9th Cir. 2019) (quoting
8 *Caterpillar v. Lewis*, 519 U.S. 61, 68 (1996)). Instead of “complete diversity,” the
9 complaint appears to believe it is sufficient for there to be “minimal diversity” between the
10 parties. “Minimal diversity” refers to the plaintiff being a citizen of a state different from
11 any defendant. *See, e.g., Ehrman v. Cox Commc’ns, Inc.*, 932 F.3d 1223, 1226 (9th Cir.
12 2019). But minimal diversity is not enough. *See Broadway Grill, Inc. v. Visa Inc.*, 856 F.3d
13 1274, 1277 (9th Cir. 2017) (“complete diversity” is required in most civil actions but
14 “minimal diversity” is sufficient in certain class actions).

15 Accordingly,

16 **IT IS ORDERED** no later than **December 12, 2024**, plaintiff shall file a
17 supplement identifying the members or owners of each LLC and the citizenship of every
18 relevant individual or entity.

19 Dated this 5th day of December, 2024.

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23 Honorable Krissa M. Lanham
24 United States District Judge
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